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Fund I, L.P., and George V. Cresson*  
8

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 KEEHAN TENNESSEE INVESTMENTS,  
12 LLC; DAVID KEEHAN; DONALD J.  
13 KEEHAN, SR.; DURHAM RIDGE  
14 INVESTMENTS, LLC; WESTLAKE  
BRIAR, LLC; KEEHAN TRUST FUNDING,  
LLC; DONALD J. KEEHAN JR.; 951  
REALTY LTD.,

15 Plaintiffs,

16 GUARDIAN CAPITAL ADVISORS, INC.;  
17 PRAETORIUM SECURED FUND, I, L.P.;  
18 GEORGE V. CRESSON, Individually and  
dba DEVELOPMENT FINANCE, LP;  
19 KENNETH A. MILLER,

Defendants.

Case No: 3:14-cv-00500-RCJ-WGC

**NOTICE OF LACK OF DIVERSITY  
JURISDICTION**

50 West Liberty Street, Suite 410  
Reno, NV 89501-1922

**LEWIS ROCA  
ROTHGERBER**

20 Defendants PRAETORIUM SECURED FUND I, L.P., and GEORGE V. CRESSON,  
21 individually and doing business as Development Finance, L.P. ("Praetorium Defendants"), by  
22 and through their counsel, the law firm of Lewis Roca Rothgerber LLP, file the instant Notice of  
23 Lack of Diversity Jurisdiction in response to this Court's Order entered on January 21, 2015  
24 (Doc. # 71).

25 On January 21, 2015, this Court ordered that Defendants conduct jurisdictional discovery  
26 and file an amended statement of removal to show that subject matter jurisdiction lies under  
27 sections 1332(a) and 1441(a). *See generally* Doc. # 71. This Court was specifically concerned  
28 about whether complete diversity existed between the parties in this case due to the several party-

1 unincorporated associations whose citizenships had not been alleged in the Complaint. *See* Doc.  
2 # 71 at 1. Pursuant to this Court's Order, *see id.* at 3, Praetorium Defendants served Plaintiffs  
3 and Co-Defendants with jurisdictional interrogatories, the responses of which have revealed that  
4 complete diversity does not exist among the Plaintiffs and Defendants in this case. Accordingly,  
5 Praetorium Defendants notify this Court that diversity jurisdiction is lacking.

6 Dated this 18th day of February, 2015.

7 LEWIS ROCA ROTHGERBER LLP

8  
9 By /s/ Kristen L. Martini  
10 David C. McElhinney, Esq., SBN 0033  
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**CERTIFICATE OF SERVICE**

Pursuant to Federal Rule of Civil Procedure 5(b), I hereby certify that service of: **NOTICE OF LACK OF DIVERSITY JURISDICTION** was made this date by Electronic Mail and U.S. Mail, postage prepaid, in Reno, Nevada, to the following:

<p>Bret F. Meich, Esq.      Richard G. Campbell, Jr., Esq.      ARMSTRONG TEASDALE LLP      3770 Howard Hughes Parkway, Suite 200      Las Vegas, NV 89169  <i>bmeich@armstrongteasdale.com</i>  <i>rcampbell@armstrongteasdale.com</i></p>	<p>Edmund W. Searby, Esq.      Mary P. Birk, Esq.      BAKER &amp; HOSTETLER      1900 E. 9<sup>th</sup> Street, Suite 3200      PNC Center      Cleveland, OH 44114-3482  <i>esearby@bakerlaw.com</i>  <i>mbirk@bakerlaw.com</i></p>
<p>Robert Roy Kracht, Esq.      Charles J. Pawlukiewicz, Esq.      McCARTHY LEBIT CRYSTAL &amp; LIFFMAN      101 West Prospect Avenue, Suite 1800      Cleveland, OH 44115  <i>rrk@mccarthylebit.com</i>  <i>cjp@mccarthylebit.com</i></p>	<p>Robert J. Caldwell, Esq.      KOLESAR &amp; LEATHAM, CHTD.      400 South Rampart Boulevard, Suite 400      Las Vegas, NV 89145  <i>rcaldwell@klnevada.com</i></p>

DATED this 18th day of February, 2015.

Rebecca Jan

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An Employee of Lewis Roca Rothgerber LLP

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ROTHGERBER

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